**Unofficial Copy** HB 1420/02 - ECM 2003 Regular Session 3lr1769

By: Senator Harris

Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

### A BILL ENTITLED

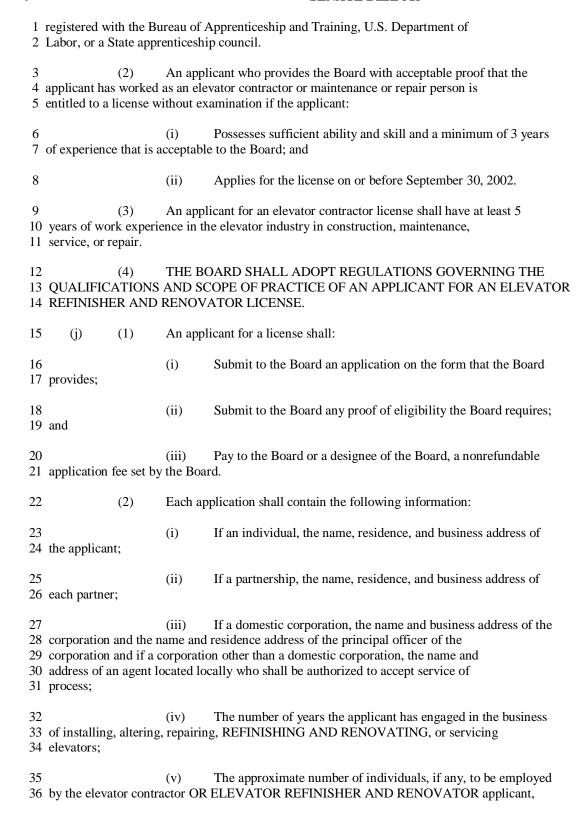
### 1 AN ACT concerning

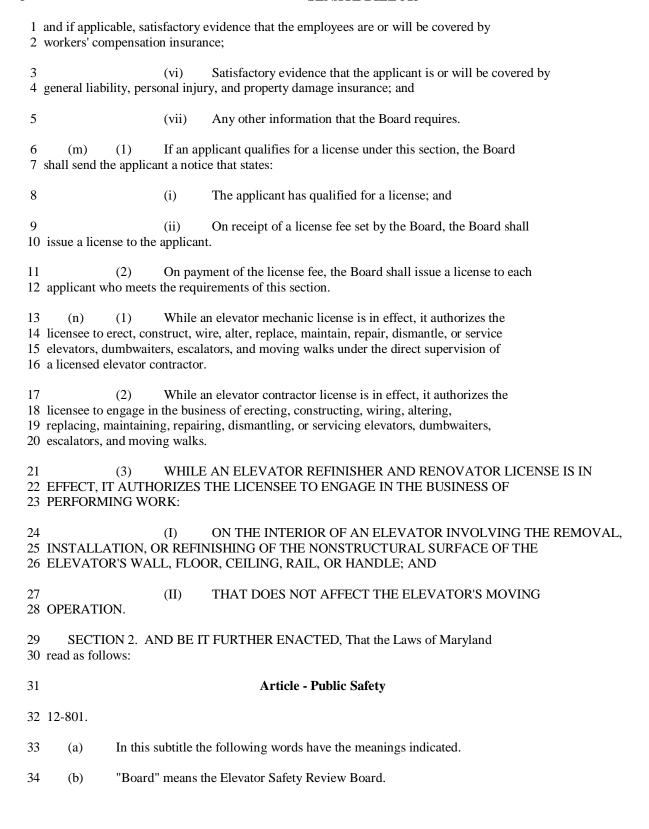
#### 2 **Elevator Safety - Elevator Refinishers and Renovators**

- 3 FOR the purpose of establishing a certain elevator refinisher and renovator license;
- establishing a certain fee for the license; requiring the Elevator Safety Review 4
- 5 Board to adopt certain regulations governing elevator refinishers and
- 6 renovators; altering certain information required in a license application;
- exempting certain elevator refinishers and renovators from certain 7
- 8 requirements for licensure until a certain date; defining a certain term; making
- stylistic changes; providing for the effective date of certain provisions of this Act; 9
- 10 providing for the termination of certain provisions of this Act; and generally
- relating to elevator refinishers and renovators and elevator safety. 11
- 12 BY repealing and reenacting, with amendments,
- Article 89 Miscellaneous Business, Work, and Safety Provisions 13
- 14 Section 49C(a), (g)(3), (h), (i), (j), and (n)
- 15 Annotated Code of Maryland
- 16 (1998 Replacement Volume and 2002 Supplement)
- 17 BY repealing and reenacting, without amendments,
- Article 89 Miscellaneous Business, Work, and Safety Provisions 18
- 19 Section 49C(m)
- 20 Annotated Code of Maryland
- (1998 Replacement Volume and 2002 Supplement) 21
- 22 BY repealing and reenacting, without amendments,
- Article Public Safety 23
- 24 Section 12-801(a), (b), (g), and (h) and 12-831
- 25 Annotated Code of Maryland
- (As enacted by Chapter (S.B. 1) of the Acts of the General Assembly of 2003) 26
- 27 BY repealing and reenacting, with amendments,
- Article Public Safety 28
- 29 Section 12-801(i) through (n), inclusive, 12-824, 12-826, 12-827, 12-828, and

1 2 3	12-832 Annotated Code of Maryland (As enacted by Chapter (S.B. 1) of the Acts of the General Assembly of 2003)									
4 5 6 7 8	Section 12-801(i) Annotated Code of Maryland									
9 10	9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 10 MARYLAND, That the Laws of Maryland read as follows:									
11			Article	89 - Miscellaneous Business, Work, and Safety Provisions						
12	49C.									
13	(a) (	1)	In this so	ection the following words have the meanings indicated.						
14	(	2)	"Board"	means the Elevator Safety Review Board.						
15 16		3) sion of	(i) a licensed	"Elevator apprentice" means a person who works under the d elevator mechanic.						
	elevator helpe mechanic.	er while	(ii) working	"Elevator apprentice" includes a person commonly known as an under the direct supervision of a licensed elevator						
	of erecting, co		ing, wirir	or contractor" means a person who is engaged in the business ng, altering, replacing, maintaining, repairing, ators, dumbwaiters, escalators, and moving walks.						
23 24	PERFORMS	5) WORK		ATOR REFINISHER AND RENOVATOR" MEANS A PERSON WHO						
				ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL VISHING OF THE NONSTRUCTURAL SURFACE OF THE DR, CEILING, RAIL, OR HANDLE; AND						
28 29	OPERATION	Ι.	(II)	THAT DOES NOT AFFECT THE ELEVATOR'S MOVING						
	constructing,		altering,	or mechanic" means a person who is engaged in erecting, replacing, maintaining, repairing, dismantling, or ers, escalators, and moving walks.						
33	[	(6)]	(7)	"License" includes:						
34			(i)	An elevator contractor license; [and]						

1		(ii)	An elevator mechanic license; AND
2		(III)	AN ELEVATOR REFINISHER AND RENOVATOR LICENSE.
3	(g) (3) renewal of licenses is	(i) sued und	The Board shall establish fees for the application, issuance, and er this section.
7		and \$150	The total amount of fees in subparagraph (i) of this paragraph for an elevator mechanic OR ELEVATOR REFINISHER 0 per year for an elevator contractor, which may be collected ense.
11	wires, alters, replace	d as an el s, maintai	as otherwise provided in this section, a person shall be evator mechanic before the person erects, constructs, ins, repairs, dismantles, or services elevators, moving walks in the State.
15 16	business of erecting,	construct	Except as otherwise provided in this section, a person shall be evator contractor before the person engages in the ting, wiring, altering, replacing, maintaining, repairing, ators, dumbwaiters, escalators, and moving walks in the
20			A licensed elevator contractor is not required for removing or are destroyed as a result of a complete demolition of a y or wellway is demolished back to the basic support
24		SED BY	T AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON THE BOARD AS AN ELEVATOR REFINISHER AND RENOVATOR GAGES IN THE BUSINESS OF ELEVATOR REFINISHING AND
26	(4)	A licens	se is not required for an elevator apprentice.
27	(i) (1)	An appl	icant for an elevator mechanic license shall:
30 31	elevator industry, in current and previous	construct employe	Have an acceptable combination of documented experience and t 3 years of recent and active work experience in the ion, maintenance, and service/repair, as verified by rs and satisfactorily complete a written examination the most recent referenced codes and standards;
35	examination of a nat	ionally re	Upon completion of 3 years of work experience as provided in e a certificate of completion of the mechanic cognized training program for the elevator industry Industry Educational Program or its equivalent; or
37 38	for elevator mechani	(iii) cs, with s	Have a certificate of completion of an apprenticeship program tandards substantially equal to those of this section and

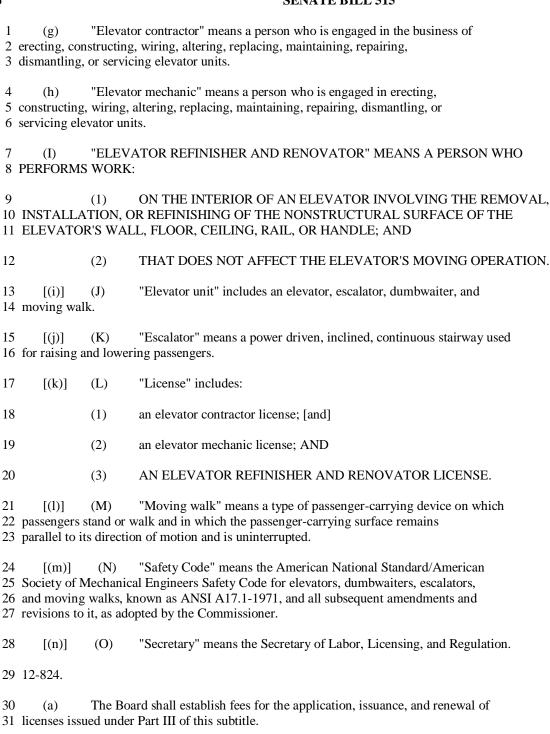




32

(b)

33 may not exceed, for the 2-year term of the license:



The total amount of fees established under subsection (a) of this section

1 2	(1) \$100 per year for an elevator mechanic OR ELEVATOR REFINISHER AND RENOVATOR LICENSE; and						
3	(2) \$150 per year for an elevator contractor.						
4	12-826.						
7	(a) Except as otherwise provided in Part III of this subtitle, a person shall be licensed by the Board as an elevator mechanic before the person erects, constructs, wires, alters, replaces, maintains, repairs, dismantles, or services elevator units in the State.						
11	(b) Except as otherwise provided in Part III of this subtitle, a person shall be licensed by the Board as an elevator contractor before the person engages in the business of erecting, constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or servicing elevator units in the State.						
15	(c) EXCEPT AS OTHERWISE PROVIDED IN PART III OF THIS SUBTITLE, A PERSON SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR REFINISHER AND RENOVATOR BEFORE THE PERSON ENGAGES IN THE BUSINESS OF ELEVATOR REFINISHING AND RESTORING.						
17 18	(D) (1) A licensed elevator contractor is not required for removing or dismantling an elevator unit if:						
19 20	(i) the elevator unit is destroyed as a result of a complete demolition of a building; or						
21 22	(ii) a hoistway or wellway is demolished back to the basic support structure.						
23 24	(2) (i) An individual who works as an elevator apprentice under the direct supervision of a licensed elevator mechanic need not obtain a license.						
	(ii) An individual commonly known as an elevator helper who works under the direct supervision of a licensed elevator mechanic need not obtain a license.						
28	12-827.						
29	(a) An applicant for an elevator mechanic license shall:						
32	(1) (i) have an acceptable combination of documented experience and education credits, with at least 3 years of recent and active work experience in the elevator industry, in construction, maintenance, and service or repair, as verified by current and previous employers; and						
34 35	(ii) pass a written examination administered by the Board on the Safety Code;						

				have completed at least 3 years of recent and active work stry, in construction, maintenance, and service or nd previous employers; and			
				have a certificate of completion of the mechanic examination of g program for the elevator industry such as the acational Program or its equivalent; or			
9	(3) have a certificate of completion of an apprenticeship program for elevator mechanics that has standards substantially equivalent to those of Part III of this subtitle and is registered with the Bureau of Apprenticeship and Training of the U.S. Department of Labor or a state apprenticeship council.						
	(b) work experie repair.	ork experience in the elevator industry in construction, maintenance, service, or					
	(C) THE BOARD SHALL ADOPT REGULATIONS GOVERNING THE QUALIFICATIONS AND SCOPE OF PRACTICE OF AN APPLICANT FOR AN ELEVATOR REFINISHER AND RENOVATOR LICENSE.						
17	12-828.						
18	(a)	(1)	An appl	icant for a license shall:			
19 20	provides;		(i)	submit to the Board an application on the form that the Board			
21 22	requires; and	i	(ii)	submit to the Board any proof of eligibility that the Board			
23 24	by the Board	<b>1</b> .	(iii)	pay to the Board or designee of the Board an application fee set			
25		(2)	The app	lication fee is nonrefundable.			
26	(b)	Each ap	plication	shall contain the following information:			
27 28	(1) if the applicant is an individual, the name, residence, and business address of the applicant;						
29 30	address of ea	(2) ach gener		plicant is a partnership, the name, residence, and business ar;			
	(3) if the applicant is a domestic corporation, the name and business address of the corporation and the name and residence address of the principal officer of the corporation;						
34 35	the name and	(4) d address		plicant is a corporation other than a domestic corporation, esident agent;			

1 (5)the number of years the applicant has engaged in the business of 2 installing, altering, repairing, REFINISHING AND RENOVATING, or servicing 3 elevators: 4 the approximate number of individuals, if any, to be employed by an 5 applicant that is an elevator contractor OR ELEVATOR REFINISHER AND RENOVATOR 6 and, if applicable, evidence satisfactory to the Board that the employees are or will be 7 covered by workers' compensation insurance; 8 evidence satisfactory to the Board that the applicant is or will be 9 covered by general liability, personal injury, and property damage insurance; and 10 (8)any other information that the Board requires. 11 12-831. 12 (a) If an applicant qualifies for a license under Part III of this subtitle, the 13 Board shall send the applicant a notice that states: 14 (1) the applicant has qualified for a license; and on receipt of a license fee set by the Board, the Board shall issue a 15 (2) 16 license to the applicant. 17 (b) On payment of the license fee, the Board shall issue a license to each applicant who meets the requirements of Part III of this subtitle. 19 12-832. 20 (a) While an elevator mechanic license is in effect, it authorizes the licensee to 21 erect, construct, wire, alter, replace, maintain, repair, dismantle, or service elevator 22 units under the direct supervision of a licensed elevator contractor. 23 While an elevator contractor license is in effect, it authorizes the licensee (b) 24 to engage in the business of erecting, constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or servicing elevator units. WHILE AN ELEVATOR REFINISHER AND RENOVATOR LICENSE IS IN 26 27 EFFECT, IT AUTHORIZES THE LICENSEE TO ENGAGE IN THE BUSINESS OF 28 PERFORMING WORK: 29 ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL, (1) 30 INSTALLATION, OR REFINISHING OF THE NONSTRUCTURAL SURFACE OF THE 31 ELEVATOR'S WALL, FLOOR, CEILING, RAIL, OR HANDLE; AND 32 (2) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING OPERATION. 33 SECTION 3. AND BE IT FURTHER ENACTED, That, for any elevator 34 refinisher and renovator business that was incorporated before January 1, 2001, the

35 provisions of this Act do not apply until June 1, 2004.

- 1 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
- 2 take effect on the taking effect of Chapter \_\_\_\_\_ (S.B. 1) of the Acts of the General 3 Assembly of 2003. If Section 2 of this Act takes effect, Section 1 of this Act shall be
- 4 abrogated and of no further force and effect.
- 5 SECTION 5. AND BE IT FURTHER ENACTED, That, subject to the provisions
- 6 of Sections 3 and 4 of this Act, this Act shall take effect June 1, 2003.